

Submitted by Facsimile (571) 273-8300

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FEB 10 2009 PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In Re U.S. Patent No.:** 7,103,765 **OFFICE OF PETITIONS**  
**Issued:** September 5, 2006 **Atty Ref:** CHEN4221/JEK  
**Serial No.:** 10/002,652  
**Filed:** October 19, 2001  
**Inventor:** Ben Wei CHEN  
**Title:** **METHOD AND SYSTEM FOR PROVIDING A  
MODULIZED SERVER ON BOARD**

**SUBMISSION OF DUPLICATE COPY OF  
PETITION TO EXCUSE ERROR IN PAYMENT OF ISSUE FEE  
ON SMALL ENTITY BASIS**

United States Patent & Trademark Office  
Customer Service Window, Mail Stop Petitions  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22313

Sir:

The undersigned Petitioner, attorney for Patentee, on May 7, 2008 submitted a Petition to Excuse Error in Payment of Issue Fee on a Small Entity Basis with regard to the above identified patent. A true copy of the original Petition and the receipt card date-stamped by the mail window of the U.S. PTO are attached, and a copy of Petitioner's cancelled check in the amount of \$740 is also attached.

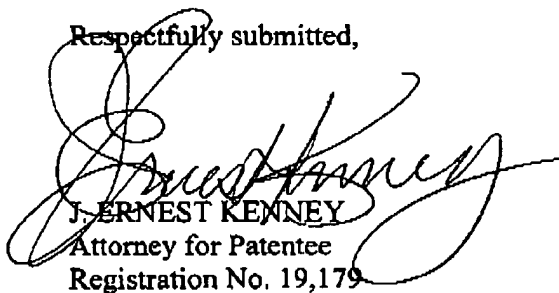
A telephone call today to the Office of Petitions revealed that the original Petition has been lost in the Office. Petitioner requests prompt action on the Petition in view of the delay resulting from the loss of the original Petition.

U.S. Patent No.: 7,103,765  
Attorney Docket: CHEN4221/JEK

Any fee required in connection with this paper or the original paper, including any petition fee, may be charged to deposit account 02-0200 or any overpayment may be credited to this account.

Payor No. 000484  
Customer No. 23364  
BACON & THOMAS, PLLC  
625 Slaters Lane, 4<sup>th</sup> Floor  
Alexandria, VA 22314-1176  
Phone: (703) 683-0500  
Facsimile: (703) 683-1080  
Date: February 10, 2009

Respectfully submitted,



J. ERNEST KENNEY  
Attorney for Patentee  
Registration No. 19,179

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FEB 10 2009

Patent

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re U.S. Patent No.: 7,103,765

OFFICE OF PETITIONS

Granted: September 5, 2006

ATTY. REF.: CHEN4221

Serial No.: 10/002,652

Filed: October 19, 2001

Petition to Excuse Error in Payment of Issue Fee  
on a Small Entity Basis under 37CFR§1.28

Commissioner For Patents

Sir:

The Issue Fee for the captioned patent was erroneously paid in good faith by a prior attorney for applicant in the belief that the then owner of the application continued to be a small entity at the time of payment. It has recently been discovered that the assignee of the patent application that matured as the patent was at the time a large entity.

Petitioner on behalf of the current patent owner requests that the erroneous failure to notify the Office of the change in entity status be excused and that the full make-up payment be accepted for the incorrectly paid issue fee, calculated as shown below.

The issue fee was paid on March 22, 2008 in the amount of \$700.00 as a small entity.

An issue fee for a large entity for a patent currently is \$1,140.00.

The difference between the fee paid and the fee now due is \$740.00.

A check in the amount of the difference is submitted herewith.

If the amount was miscalculated, any additional fee actually due may be charged to deposit account 02-0200 or any overpayment may be credited to this account.

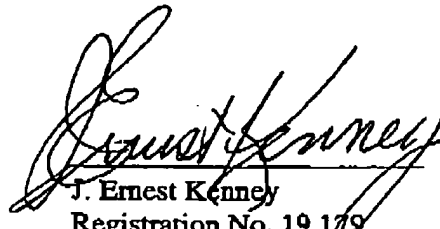
A statement of loss of entitlement to small entity status is submitted herewith in a separate paper signed by the current attorney of record for the patent owner.

Favorable disposition of this petition is respectfully requested.

Payor No. 000484Customer 23364

Bacon & Thomas, PLLC  
625 Slaters Lane 4<sup>th</sup> Floor  
Alexandria, VA 22314  
703-683-0500

Respectfully Submitted,



J. Ernest Kenney  
Registration No. 19,179  
Attorney for patentee

## GENERAL RECEIPT

Atty. Ref.: CHEN4221**Bacon & Thomas - 625 Slaters Lane - 4th Floor - Alexandria, VA 22314****IN RE: PATENT NUMBER / GRANT DATE**

7103765 - 9/5/2006

DELIVER TO:

☒

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ART  
UNIT

THE PTO STAMP HEREON ACKNOWLEDGES RECEIPT OF:

- PETITION TO EXCUSE ERROR IN PAYMENT OF ISSUE  
FEE ON A SMALL ENTITY BASIS

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Payment Transmittal and Check in the Amount of : \$740.00FILED BY: LH

MP

| Account       | Serial Number | Date       | Amount   |
|---------------|---------------|------------|----------|
| 2065202824409 | 58362         | 05/15/2008 | \$740.00 |

Front Image

**BACON & THOMAS, J.D.**  
 COMMISSIONER OF PATENTS ACCOUNT  
 620 OLIVER LANE PH 122 SAN JOSE  
 ALICANDRIA, VA 22118

56352

DATE 5/7/2008

PAY TO THE ORDER OF DIRECTOR OF THE UNITED STATES PATENT & TRADEMARK OFFICE \$ 740.00

Seven hundred forty dollars and 00/100

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FOR ESUE PEG DRY CHEN 4321

*Christine Dykes*

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 12-10-0001  
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 U.S. TREASURY

Wachovia certifies that the above image(s) accurately represents the physical item from which it was produced.